

*PLUMMER*

*Serial No.: 09/944,119*

*Response to Office Action dated August 15, 2003*

**REMARKS**

Reconsideration and allowance of the subject patent application are respectfully requested.

The specification has been amended to correct informalities found during preparation of this response. Entry of these amendments is respectfully requested.

Applicants gratefully acknowledge the indication that claims 14-30 are allowed. Amendments of a formal nature unrelated to patentability have been made to claims 14-17, 19, 22, 24 and 27-30. No further comments will be made with respect to these claims.

Claims 1-13, 35 and 36 were rejected under 35 U.S.C. Section 112, second paragraph, as allegedly being indefinite. Claim 1 has been amended to provide better antecedent basis for "the further communication symbol" and claims 35 and 36 have been amended to provide better antecedent basis for "the activation marks" and "said activation marks", respectively. These claims and claims 2-4, 7, and 10-13 have also been amended to improve their form and place them in a more traditional U.S. format. Because claims 1-13 have not otherwise been rejected, these claims are now believed to be allowable.

Claims 31-43 were rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over Hollabaugh *et al.* (U.S. Patent No. 4,131,882) in view of Reiter. Hollabaugh *et al.* discloses a two-wire irrigation control system. The office action states that Hollabaugh *et al.* does not teach activating the second stations at a prescribed offset from the reference datum. This feature is allegedly shown in Reiter at col. 3, lines 1-47. It allegedly would have been obvious to incorporate the feature of Reiter into Hollabaugh *et al.* because it would "enhance the system of Hollabaugh by allowing the zones can (sic) be watered sequentially with each zone being watered for a given time period." While not acquiescing in this rejection or in the characterization of the applied references in the office action, claims 31, 33, 35-39 and 41-43 have been amended. As such, the applied references are discussed below with reference to the amended claims.

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As shown in Figure 5h of Hollabaugh *et al.*, information is encoded digitally by clipping the upper or positive halves of the usually sinusoidal power signal when a zero is to be encoded, and not clipping the upper halves when a one is to be encoded. Hollabaugh *et al.* does not provide any teaching or suggestions whatsoever with respect to a phase offset for activating second stations as set forth in claims 31 and 38. Reiter discloses an automatic irrigation system in which all the zones of a ground area may be watered in sequence. Reiter however provides no teaching or suggestion with respect to a phase offset for activating second stations. As described with reference to the illustrative, example embodiments in the present specification, this phase offset can avoid problems associated with current draw when multiple stations are active. *See, e.g.,* page 19, line 10 to page 20, line 17. There is no disclosure or suggestion of phase offset in connection with the sequential watering described in Reiter. Accordingly, even assuming for the sake of argument that Hollabaugh *et al.* and Reiter were properly combinable, the combination would not result in the subject matter of claim 31 or 38 or the claims that depend therefrom.

New claims 44-54 have been added. The subject matter of these claims is fully supported by the original disclosure and no new matter is added. New claims 44-48 depend from claims 1, 14, 22, 31 and 37, respectively, and are believed to be allowable at least because of this dependency. Claims 49, 51 and 53 are based on claims 14, 22, and 37, respectively, and are likewise believed to be allowable. Claims 50, 52 and 54 depend from claims 49, 51 and 53, respectively, and are believed to be allowable.

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Applicants submit that the pending claims are in condition for allowance, and early notice to that effect is respectfully requested.

Respectfully submitted,

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